



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB6072

Introduced 2/11/2010, by Rep. John A. Fritchey

#### SYNOPSIS AS INTRODUCED:

745 ILCS 65/1  
745 ILCS 65/2

from Ch. 70, par. 31  
from Ch. 70, par. 32

Amends the Recreational Use of Land and Water Areas Act. Provides that the definition of recreational or conservation purpose is expanded beyond hunting, recreational shooting, or related activities to include: entry by the general public onto the land of another for any activity undertaken for conservation, resource management, education, hiking, climbing, cycling, picnicking, swimming, fishing, horseback riding, bird watching, sight-seeing, skiing, ice skating, sledding, use of non-motorized watercraft, and the use of an easement to permit public passage across such land for access to a public park, historic site, trail, water area, or other public recreational area. The changes apply only to causes of action accruing on or after January 1, 2011. Effective immediately.

LRB096 18109 AJ0 33484 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Recreational Use of Land and Water Areas Act  
5 is amended by changing Sections 1 and 2 as follows:

6 (745 ILCS 65/1) (from Ch. 70, par. 31)

7 Sec. 1. This Act shall be known and may be cited as the  
8 "Recreational Use of Land and Water Areas Act".

9 The purpose of this Act is to encourage owners of land to  
10 make land and water areas available ~~to any individual or~~  
11 ~~members of the public~~ for recreational or conservation  
12 purposes, as set forth in subsection (c) of Section 2 by  
13 limiting their liability toward persons entering thereon for  
14 such purposes.

15 (Source: P.A. 94-625, eff. 8-18-05.)

16 (745 ILCS 65/2) (from Ch. 70, par. 32)

17 Sec. 2. As used in this Act, unless the context otherwise  
18 requires:

19 (a) "Land" includes land, roads, water, watercourses,  
20 private ways and buildings, structures, and machinery or  
21 equipment ~~when~~ attached to the realty. ~~but~~ Land used for a  
22 recreational or conservation purpose, as set forth in paragraph

1 (1) of subsection (c), does not include residential buildings  
2 or residential property.

3 (b) "Owner" includes the possessor of any interest in land,  
4 whether it be a tenant, lessee, occupant, the State of Illinois  
5 and its political subdivisions, ~~or~~ person or other entity in  
6 control of the premises.

7 (c) "Recreational or conservation purpose" means:

8 (1) entry by individuals or members of the public onto  
9 the land of another to conduct hunting or recreational  
10 shooting or a combination thereof or any activity solely  
11 related to the aforesaid hunting or recreational shooting;  
12 or-

13 (2) entry by the general public onto the land of  
14 another for any activity undertaken for conservation,  
15 resource management, education, hiking, climbing, cycling,  
16 picnicking, swimming, fishing, horseback riding, bird  
17 watching, sight-seeing, skiing, ice skating, sledding, use  
18 of non-motorized watercraft, and the use of an easement to  
19 permit public passage across such land for access to a  
20 public park, historic site, trail, water area, or other  
21 public recreational area.

22 (d) "Charge" means an admission fee for permission to go  
23 upon the land, but does not include: the sharing of game, fish  
24 or other products of recreational use; or benefits to or  
25 arising from the recreational use; or contributions in kind,  
26 services or cash made for the purpose of properly conserving

1 the land.

2 (e) "Person" includes any person, regardless of age,  
3 maturity, or experience, who enters upon or uses land for  
4 recreational purposes.

5 The changes to this Section made by this amendatory Act of  
6 the 96th General Assembly apply only to causes of action  
7 accruing on or after January 1, 2011.

8 (Source: P.A. 94-625, eff. 8-18-05.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.